

KELLEY DRYE & WARREN LLP

A LIMITED LIABILITY PARTNERSHIP

200 KIMBALL DRIVE

PARSIPPANY, NEW JERSEY 07054

(973) 503-5900

NEW YORK, NY
WASHINGTON, DC
CHICAGO, IL
STAMFORD, CT

BRUSSELS, BELGIUM

AFFILIATE OFFICES
MUMBAI, INDIA

FACSIMILE

(973) 503-5950

www.kelleydrye.com

DIRECT LINE: (973) 503-5920

EMAIL: jboyle@kelleydrye.com

November 16, 2009

VIA ECF

Honorable Madeline C. Arleo, U.S.M.J.
United States District Court, District of New Jersey
Martin Luther King, Jr. Building & U.S. Courthouse
50 Walnut Street
Newark, New Jersey 07101

Re: *Tullett Prebon PLC v. BGC Partners, Inc.*
Civil Action No. 2:09-cv-5365 (SDW)(MCA)

Your Honor:

We represent plaintiff Tullett Prebon PLC and write on behalf of all the parties in this action. As per Your Honor's November 2, 2009 order, the parties have met and conferred regarding the issue of spoliation and have resolved, with one exception, all outstanding issues related thereto. With respect to that remaining issue, the parties continue to talk and are optimistic that that issue will be resolved without the need for the Court's intervention.

Respectfully submitted,

s/ Joseph A. Boyle

Joseph A. Boyle.

cc: Opposing Counsel (via ECF)
Robert M. Abrahams, Esq. (via email)